



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,626	07/10/2003	Kee Yean Ng	70030665-1	4262

7590 08/09/2005

AGILENT TECHNOLOGIES, INC.

Legal Department, DL429

Intellectual Property Administration

P.O. Box 7599

Loveland, CO 80537-0599

EXAMINER

WILLIAMS, JOSEPH L

ART UNIT

PAPER NUMBER

2879

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/617,626	<b>Applicant(s)</b> NG ET AL.	
	<b>Examiner</b> Joseph L. Williams	<b>Art Unit</b> 2879	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 5-8 are objected to because of the following informalities: The claims contain more than one capital. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4, 6, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Boswell (US 3,487,541).

Regarding claim 1, Boswell ('541) teaches in figure 12 an improved light emitting diode mount comprising a light emitting diode die (1), a substrate (2), and a pedestal (16) smaller than the die connecting the die to the substrate.

Regarding claim 4, Boswell ('541) teaches the pedestal (16) is a separate component from the substrate and the die.

Regarding claim 6, Boswell ('541) teaches a method of mounting a light emitting diode die to a substrate comprising: forming a pedestal (16) smaller than the die (1) on the substrate (2), and affixing the die to the pedestal.

Art Unit: 2879

Regarding claim 7, Boswell ('541) teaches a method of mounting a light emitting diode die to a substrate comprising: affixing a pedestal (16) smaller than the die (1) on the substrate (2), and affixing the die to the pedestal.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 3, 5, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boswell (US 3,487,541), of record.

Regarding claim 2, Boswell ('541) teaches all of the claimed limitations except for the pedestal being formed as part of the die.

Further regarding claim 2, it has been well established that forming in one piece an article which has been formed in two pieces and put together involves only routine skill in the art.

Hence it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the pedestal formed as part of the die, since it has been held that forming in one piece an article which has been formed in two pieces and put together involves only routine skill in the art.

Art Unit: 2879

Regarding claim 3, Boswell ('541) teaches all of the claimed limitations except for the pedestal being formed as part of the substrate.

Further regarding claim 3, it has been well established that forming in one piece an article which has been formed in two pieces and put together involves only routine skill in the art.

Hence it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the pedestal formed as part of the substrate, since it has been held that forming in one piece an article which has been formed in two pieces and put together involves only routine skill in the art.

Regarding claim 5, Boswell ('541) teaches all of the claimed limitations except for the forming the pedestal on the die and then affixing the pedestal to the substrate.

Further regarding claim 5, it has been well established that rearranging parts of an invention involves only routine skill in the art.

Hence it would have been obvious to one of ordinary skill in the art at the time the invention was made to form the pedestal on the die and then affixing the pedestal to the substrate, since it has been well established that rearranging parts of an invention involves only routine skill in the art.

Regarding claim 8, Boswell ('541) teaches all of the claimed limitations except for the affixing the pedestal on the die and then affixing the pedestal to the substrate.

Art Unit: 2879

Further regarding claim 8, it has been well established that rearranging parts of an invention involves only routine skill in the art.

Hence it would have been obvious to one of ordinary skill in the art at the time the invention was made to affix the pedestal on the die and then affixing the pedestal to the substrate, since it has been well established that rearranging parts of an invention involves only routine skill in the art.

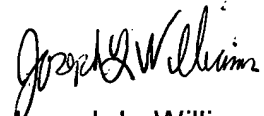
#### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph L. Williams whose telephone number is (571) 272-2465. The examiner can normally be reached on M-F (6:30 AM-3:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2879

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Joseph L. Williams  
Primary Examiner  
Art Unit 2879